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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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09/784,889

02/16/2001

Richard Joseph Bennett

340005-2012

5194

20999 7590 04/17/2009
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EXAMINER

NAJARIAN, LENA

ART UNIT

PAPER NUMBER

3686

MAIL DATE

DELIVERY MODE

04/17/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

OFFICE ACTION

Termination of Proceedings in Response to Board Decision on Appeal

1. The period for seeking court review of the decision rendered by the Board of Patent Appeals and Interferences on January 30, 2009 has expired and no further action has been taken by appellant. The proceedings as to rejected claims 26, 33, 34, 49-55, 60 and 63 are considered terminated. See 37 CFR 1.197.

Disposition of Incomplete Dependent Claims

2. Claims 27-32, 61 and 62 are objected to as incomplete because the rejected claim(s) on which they depend has/have been cancelled by the examiner in accordance with MPEP §1214.06. Applicant is given a **ONE (1) MONTH TIME LIMIT** from the mailing date of this letter in which to present each of dependent claims 27 and 61 in independent form, including all of the limitations of the base claim and any intervening claim(s).

NO EXTENSIONS OF TIME UNDER 37 CFR 1.136(a) WILL BE GRANTED.

Prosecution is otherwise closed.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LENA NAJARIAN whose telephone number is (571) 272-7072. The examiner can normally be reached on Monday - Friday, 9:30 am - 6:00 pm.

4. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on (571) 272-6787. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

/L. N./
Examiner, Art Unit 3686
In
4/16/09

/Gerald J. O'Connor/
Supervisory Patent Examiner
Group Art Unit 3686